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WHEREAS, the South Dakota Board of Nursing (“Board”) met in Sioux Falls, South Dakota, for its regular meeting on April 20, 2017. At that meeting the Board was advised that Licensee had disciplinary action taken in the State of Minnesota alleging failure to provide continuous assessment and failure to provide appropriate supervision to a home care client; and

WHEREAS, the Board has a statutory obligation to protect the public health, safety and welfare as set forth in SDCL §36-9-1.1, including the protection of the public from unsafe nursing practices; and

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WHEREAS, it is the intent of this agreement to provide for a disposition of the licensing issues presented by the Licensee's conduct in a professional manner, without the necessity of further hearings and proceedings herein, and to provide for a responsible resolution;

NOW, THEREFORE, it is hereby stipulated and agreed as follows:

1. That the Board has jurisdiction over the person of the Licensee and the subject matter of this Order.
2. That the Licensee had disciplinary action taken against her license in the State of Minnesota alleging failure to provide continuous assessment and failure to provide appropriate supervision to a home care client.
3. The Licensee recognizes that this matter is of a nature that would constitute grounds for discipline of her license to practice as a registered nurse in the State of South Dakota under SDCL § 36-9-49(6).
4. That the Licensee understands that she has a right to a contested hearing case pursuant to SDCL Ch. 1-26 regarding this matter and that such rights pursuant to SDCL Ch. 1-26 include, but are not limited to, the right to be present at the contested case hearing, the right to be represented by legal counsel, to introduce evidence and testimony on her behalf, to call witnesses, to cross examine witnesses, and to inspect all documentary evidence submitted to the Board and to appeal the Board's decision to the circuit court and state Supreme Court as provided by law.
5. By entering into this agreed-upon disposition with the Board, the Licensee hereby knowingly and voluntarily waives the above rights.

6. The Licensee has been given the opportunity to discuss this agreed-upon disposition with an attorney of Licensee's choice and is aware of her rights as outlined above. Licensee hereby voluntarily waives all such rights to a hearing, notice, appearance, or other rights. Licensee is entering into this agreed-upon disposition voluntarily and without duress or compulsion.

Based upon the foregoing acknowledgements, the Board and the Licensee hereby agree that based upon action taken against the Licensee in the State of Minnesota this matter will be resolved by mirroring the action that was taken in the State of Minnesota pursuant to SDCL § 36-9-49(6) by the issuance of this Letter of Reprimand.

This is final action and is reportable discipline which will be published in the Board's newsletter, posted on its website, and reported into the National Practitioner Data Bank (NPDB) as required by law. As this is a reportable discipline, Licensee is required to provide an affirmative response to inquiries of disciplinary action on further renewals and other nursing related inquiries.

NOW, THEREFORE, the foregoing Agreed Upon Disposition for Letter of Reprimand and Waiver of Hearing is entered into and is respectfully submitted to the Board with the request that the Board adopt its terms as an Order of the Board in the above matter.

Dated this 15 day of May, 2017.


Donna Hoffman, RN

Agreed Upon Disposition for Letter of Reprimand and Waiver of Hearing
Licensee: Donna Hoffman, RN

The South Dakota Board of Nursing met on the 20th day of April, 2017, and moved to issue a Letter of Reprimand by a vote of 9-0 and now issues its Order as follows:

IT IS HEREBY ORDERED that the above Agreed Upon Disposition for Letter of Reprimand and Waiver of Hearing is adopted as shown herein by the South Dakota Board of Nursing this 18th day of may, 2017.

SOUTH DAKOTA BOARD OF NURSING



Gloria Damgaard, RN, MS
Executive Director